

1 (H) In each case, the property assessed is benefited by the services and improvements
2 provided in the District.

3 (I) The exclusion of certain property from assessment is reasonable because the
4 excluded property will not receive a benefit from the District that is sufficient to
5 justify an assessment and the exclusions promote efficient management of the
6 District.

7 (J) The procedures followed and apportionment of the cost of the services and
8 improvements in the District comply with applicable law and the purpose for
9 which the District was formed.

10 (K) The assessments are based on each parcel owners pro rata share of the Assessable
11 Acres.

12 **PART 2. Exemptions and Exclusions.** The Council exempts the following from payment
13 of the assessment and excludes from the roll:

14 (A) property of the City used for public purpose;

15 (B) property owned by the County and property owned by political subdivisions of the
16 State of Texas and used for public purpose; and

17 (C) other property that is excluded by law or by agreement of the City and the
18 petitioners.

19 **PART 3. Assessment and Levy.** The assessments shown on Exhibit A are levied and
20 assessed against the property in the District and against the record owner of the property
21 identified by the Travis Central Appraisal District records.

22 **PART 4. Liability of Multiple Owners.** Each owner of property in the District owned by
23 two or more individuals or entities is personally liable for the amount of the assessment
24 equal to the share of the total assessment against the property based on the owner's partial
25 interest in the total property ownership. A property owner's interest in property may be
26 released from an assessment lien if the owner pays the owner's proportionate share of an
27 assessment.

28 **PART 5. Interest and Lien.**

29 An assessment shown on Exhibit A:

30 (1) accrues interest at the rate of 0% from the effective date of this ordinance until
31 January 31, 2017 for the portion of the assessment due on January 31, 2017;

- 1 (2) accrues interest at the rate of 0% from the effective date of this ordinance until
2 July 1, 2017 for the portion of the assessment due on July 1, 2017;
- 3 (3) accrues interest, penalties, and attorney's fees in the same manner as a
4 delinquent ad valorem tax after January 31, 2017 and July 1, 2017,
5 respectively, until paid; and
- 6 (4) is a lien on the property shown in Exhibit "A" and the personal liability of the
7 property owner.

8 **PART 6. Due Date and Collection.** An assessment is due and payable in full on or before
9 the due dates (January 31, 2017 and July 1, 2017). If a property owner defaults on payment
10 of an assessment against the owner's property, the city manager may file suit to collect the
11 assessment and may initiate a lien foreclosure, including interest, penalties, costs and
12 attorney's fees.

13 **PART 7. Statutory Authority.** The assessments levied by this ordinance are made under
14 the authority of Chapter 372 (*Public Improvement District Assessment Act*) of the Texas
15 Local Government Code.

16 **PART 8. Severability.** The provisions of this ordinance are severable. If any provision of
17 this ordinance or its application to any person or circumstances is held invalid, the invalidity
18 does not affect other provisions or applications of this ordinance.

19 **PART 9.** This ordinance takes effect on _____, 2016.

20 **PASSED AND APPROVED**

21 §
22 §
23 _____, 2016 § _____

24 Steve Adler
25 Mayor

26
27
28 **APPROVED:** _____
29 Anne L. Morgan
30 City Attorney

28 **ATTEST:** _____
29 Jannette S. Goodall
30 City Clerk